

THE URBAN LAW FIRM

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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRUSTEES OF THE BRICKLAYERS &)
 ALLIED CRAFTWORKERS LOCAL 13)
 DEFINED CONTRIBUTION PENSION)
 TRUST FOR SOUTHERN NEVADA;)
 TRUSTEES OF THE BRICKLAYERS &)
 ALLIED CRAFTWORKERS LOCAL 13)
 HEALTH BENEFITS FUND; TRUSTEES OF)
 THE BRICKLAYERS & ALLIED)
 CRAFTWORKERS LOCAL 13 VACATION)
 FUND; BRICKLAYERS & ALLIED)
 CRAFTWORKERS LOCAL 13 NEVADA;)
 TRUSTEES OF THE BRICKLAYERS &)
 TROWEL TRADES INTERNATIONAL)
 PENSION FUND; TRUSTEES OF THE)
 BRICKLAYERS & TROWEL TRADES)
 INTERNATIONAL HEALTH FUND; and)
 TRUSTEES OF THE INTERNATIONAL)
 MASONRY INSTITUTE,)

Plaintiffs,

vs.

TUMBLEWEED DEVELOPMENT, INC., a
 Nevada corporation,

Defendant.

CASE NO: 2:12-cv-01114-MMD-PAL

**APPLICATION FOR EXAMINATION OF
 TOD M. MARRS, OFFICER OF
 JUDGMENT DEBTOR TUMBLEWEED
 DEVELOPMENT, INC.**

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1 Plaintiffs hereby request an Order directing the appearance of TOD M. MARRS, an Officer of
2 Judgment Debtor, TUMBLEWEED DEVELOPMENT, INC., and an Order directing the production of
3 certain documents subject to the ownership and control of Tod Marrs and/or Tumbleweed Development,
4 Inc.

5 This application is supported by the Declaration of Nathan R. Ring, attached hereto as **Exhibit 1**
6 and the proposed Order, attached **Exhibit 2**.

7
8 Dated: March 15, 2013

THE URBAN LAW FIRM

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10 /s/ Nathan R. Ring

NATHAN R. RING, Nevada State Bar No. 12078

Counsel for Plaintiffs

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TRUSTEES OF THE INTERNATIONAL)
MASONRY INSTITUTE,)

CASE NO: 2:12-cv-01114-MMD-PAL

**DECLARATION OF NATHAN R. RING IN
SUPPORT OF APPLICATION FOR
EXAMINATION OF TOD M. MARRS,
OFFICER OF JUDGMENT DEBTOR
TUMBLEWEED DEVELOPMENT, INC.**

Plaintiffs,

vs.

TUMBLEWEED DEVELOPMENT, INC., a
Nevada corporation,

Defendant.

DECLARATION OF NATHAN R. RING

I, NATHAN R. RING, declare and state as follows:

1. I am a member of the Bar of this Court and attorney of record for the Judgment Creditors in the above-captioned action.

2. Judgment was entered herein on January 11, 2013, in the amount of Fourteen Thousand Seven Hundred Forty-Seven Dollars and Eighty-Nine Cents (\$14,747.89), in favor of Plaintiffs and

1 against Defendant, Tumbleweed Development, Inc. This judgment has not been vacated, set aside or
2 reversed and the amount of Fourteen Thousand Seven Hundred Forty-Seven Dollars and Eighty-Nine
3 Cents (\$14,747.89) exclusive of interest, remains owing and unpaid. There is no stay of execution and
4 execution may properly be issued.

5 3. Mr. Todd M. Marrs is believed to reside at 3017 Campbell Circle, Las Vegas, Nevada
6 89107.

7 4. An Order scheduling an examination of Mr. Marrs as an officer of the judgment debtor,
8 Tumbleweed Development, Inc. and requiring production of documents by Mr. Marrs is necessary to
9 pursue collection of the judgment. No prior examination has been conducted.

10 5. I estimate the time for the examination in this matter will be approximately three hours.
11 The subject of this examination will be the location and identification of all assets Tumbleweed
12 Development, Inc., and all debts and obligations owed to Tumbleweed Development, Inc. In addition to
13 the appearance of Mr. Marrs, the current financial statements and records and recent past financial
14 statements and records of Tumbleweed Development, Inc. are necessary for a complete examination to
15 be conducted.

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct, and that this declaration was executed on March 15, 2013, in Las Vegas,
18 Nevada.

19 /s/ Nathan R. Ring
20 NATHAN R. RING
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CASE NO: 2:12-cv-01114-MMD-PAL

**ORDER FOR JUDGMENT DEBTOR
EXAMINATION OF TOD M. MARRS,
OFFICER OF JUDGMENT DEBTOR
TUMBLEWEED DEVELOPMENT, INC.**

Plaintiffs,

vs.

TUMBLEWEED DEVELOPMENT, INC., a
Nevada corporation,

Defendant.

Having considered Plaintiffs' Application for Judgment Debtor Examination of Tod M. Marrs, President of Judgment Debtor, Tumbleweed Development, Inc., and the Declaration of Nathan R. Ring and good cause appearing,

IT IS HEREBY ORDERED that Defendant/Judgment Debtor Tumbleweed Development, Inc. appear through its officer Tod M. Marrs in Courtroom 3B at the United States Courthouse for the District of Nevada, located at 333 Las Vegas Blvd. South, Las Vegas, Nevada 89101, on the 30th day

1 of _____ April _____, 2013 at 9 : 00 a .m. to be sworn in for a Judgment Debtor
2 Examination,

3 **IT IS FURTHER ORDERED** that Tod M. Marrs, Officer of Judgment Debtor Tumbleweed
4 Development, Inc. appear at the office of The Urban Law Firm located at 4270 S. Decatur Blvd., Suite
5 A-9, Las Vegas, Nevada, on the 30th day of April, 2013, at 9 : 30 a .m., and answer
6 concerning property subject to the ownership and control of Tumbleweed Development, Inc. (hereinafter
7 “the Company”).

8 **IT IS FURTHER ORDERED** that Tod M. Marrs and/or the Company shall produce at the
9 office of The Urban Law Firm located at 4270 S. Decatur Blvd., Suite A-9, Las Vegas, Nevada, all of
10 the following documents and things under his control, the Company’s control, or under control of its
11 agents for inspection and copying no less than two (2) weeks prior to the Judgment Debtor Examination:

12 1. All financial statements, including supporting schedules, compiled, reviewed, or audited
13 for, on behalf of, or in connection with the Company from January 1, 2011, to the present.

14 2. All original monthly bank statements of the Company from January 1, 2011, to the
15 present.

16 3. All original savings accounts pass books, certificates of deposit, and trust certificates in
17 the name of the Company from January 1, 2011, to the present.

18 4. All original negotiable instruments and negotiable securities in the name of the Company
19 from January 1, 2011, to the present.

20 5. All evidence or other memoranda of any ownership interest of the Company in any other
21 corporation, partnership, unincorporated association or any business organized or conducted for the
22 production of income from January 1, 2011, to the present.

23 6. All evidence or other memoranda of any income received by the Company from January
24 1, 2011, to the present, to include but not limited to tax returns, insurance proceeds, or repayment of
25 loans.

26 7. All evidence or other memoranda of any employer, or place of work or employment of
27 the Company from January 1, 2011, to the present, including but not limited to contracts, invoices,
28 billings, vouchers or payments.

1 8. All evidence of any ownership interest of the Company to include but not limited to, bills
2 of sale, pink slips or any other record or title, in any motor vehicle, airplane, boat, equipment or
3 machinery, from January 1, 2011, to the present.

4 9. All evidence of any debts or repayments owed by the Company, to include but not
5 limited to, those arising from loans or judgments from January 1, 2011, to the present.

6 10. Any and all evidence or other memoranda indicating that the Company was either a
7 plaintiff or a defendant in any lawsuit from January 1, 2011, to the present.

8 11. Any and all evidence or memoranda indicating that the Company received any judgment,
9 award, bequest or devise in any lawsuit or other court action from January 1, 2011, to the present.

10 12. Any and all evidence or memoranda indicating any ownership interest of the Company in
11 any patent, invention, trade name, or copyright.

12 13. Any and all evidence or memoranda indicating an ownership interest of the Company in
13 any real property or developments on real property.

14 14. Any and all evidence of the sale(s) of any real or personal property of the Company from
15 January 1, 2011, to the present.

16 15. Any and all loan applications filled out by the Company since January 1, 2011.

17 16. Copies of all documents evidencing the sale or transfer of any assets of the Company
18 from January 1, 2011, to the present.

19 17. Any and all documents evidencing any federal or State tax liability of the Company from
20 January 1, 2011 to the present.

21 18. Original cash disbursement journals and/or check registers maintained in connection with
22 the Company from January 1, 2011, to the present.

23 19. All federal income tax returns, including all supporting schedules prepared or filed for, or
24 on behalf of, the Company for the year 2010 to the present.

25 20. All daily job logs, diaries or foreman reports of the Company from January 1, 2011, to
26 the present.

27 21. All daily job tickets or invoices of the Company from January 1, 2011, to the present.

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22. All accounts receivable reports for the Company for the period of January 1, 2011, to the present.

23. All canceled checks drawn on any account established in the name of the Company from January 1, 2011, to the present.

NOTICE TO JUDGMENT DEBTOR

IF YOU FAIL TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THIS ORDER, YOU MAY BE SUBJECT TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER REQUIRING YOU TO PAY REASONABLE ATTORNEY'S FEES INCURRED BY THE JUDGMENT CREDITORS IN THIS PROCEEDING.

Dated this 22nd of March, 2013


UNITED STATES MAGISTRATE JUDGE

Submitted by:

THE URBAN LAW FIRM

By: /s/ Nathan R. Ring
NATHAN R. RING, Nevada State Bar No. 12078
Counsel for Plaintiffs